

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **June 27, 2006, Work Session**

AGENDA ITEM NO.: 1

CONSENT:

REGULAR: **X**

CLOSED SESSION:
(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **CONDITIONAL USE PERMIT (CUP) – Traditional Neighborhood Development (TND) – Cornerstone, 1207 and 1226 Greenview Drive.**

RECOMMENDATION: Approval of the requested Conditional Use Permit.

SUMMARY: JBO, LLC is petitioning for a Conditional Use Permit at 1207 and 1226 Greenview Drive to allow the construction of a Traditional Neighborhood Development on a tract of approximately one hundred and thirteen (113) acres. The submitted master plan and design guidelines propose the creation of a new mixed use community including a commercial core, multi-family housing, single-family attached and detached housing, park areas, civic uses and open space. The Planning Commission recommended approval of the Conditional Use Permit because:

- Petition agrees with the Comprehensive Plan which recommends a Mixed Use Development for the property.
- Petition agrees with the Zoning Ordinance in that a TND is a permitted use in an R-1, Single-Family Residential District upon approval of a Conditional Use Permit by the City Council.
- The Design Review Board determined the objectives of Section 35.1-43.5b of the Zoning Ordinance have been met by the proposed development.

City Council conducted a public hearing on the petition at its June 13, 2006 meeting. At this meeting several issues were identified and the City Council developed consensus to conduct a work session on the petition at its June 27, 2006 meeting. City staff met with the developers on June 20 to discuss issues raised during the public hearing. City staff is recommending that City Council consider the following as conditions for approval of the Traditional Neighborhood Development. These conditions would be in addition to those recommended by the Planning Commission at its May 24, 2006 meeting:

8. Landscaping shall be provided within the twenty-five foot (25') buffer area along the northeastern property line. Landscaping shall consist of one (1), one and five tenths inch (1.5") caliper tree for every ten (10) feet of property line. Landscaping shall consist of a mixture of evergreen and deciduous trees and may be placed in collective groupings as approved by the City Planner.
9. Buildings within the "core" area and denoted by Blocks "A, B, C, D & E" on the master plan shall be limited to a total of five (5) stories as defined by the International Building Code (IBC). Of the buildings located within the core area, no more than fifty percent (50%) may be five (5) stories.
10. No building within four hundred feet (400') of the Windsor Hills neighborhood may be five (5) stories.
11. The proposed roads connecting to Greenview Drive shall be limited to three (3) full intersections and three (3) right in and right out intersections.
12. At least fifty percent (50%) of the units located within Blocks "H & I" shall be condominium units for sale.
13. The Cornerstone Design Review Committee shall consist of three (3) City representatives selected by the Director of Community Development and three (3) representatives selected by the master developer. The land planners for Cornerstone shall serve in an advisory capacity to the Committee. If the Committee can not reach consensus on interpretation of the Cornerstone TND Guidelines, the matter shall be referred to the City's Design Review Board for final interpretation.

PRIOR ACTION(S):

- May 24, 2006: Planning Division recommended approval of the conditional use permit. Planning Commission recommended approval (6-1) of the conditional use permit with the following conditions:
1. The property shall be developed in substantial compliance with the submitted master plan entitled "Cornerstone" Traditional Neighborhood Development dated April 24, 2006 and prepared by Sympoetica, Community Planners & Designers and Hurt & Proffitt, Inc., Engineers.
 2. The property shall be developed in compliance with the Design, Landscaping & Screening and Architectural Guidelines for the Cornerstone TND dated April 12, 2006 and prepared by Sympoetica, Community Planners & Designers.
 3. The following uses shall require the approval of a conditional use permit by the City Council before being allowed within the Cornerstone Development:
 - a. Veterinarian Hospitals with or without outdoor kennels
 - b. Care Centers, excluding day care centers
 - c. Churches or other places of worship
 - d. Group Homes
 - e. Nursing Homes or Assisted Living Facilities
 - f. Community Swimming Pools
 - g. Commercial Recreation Establishments
 - h. Public or Community Recreational Facilities
 4. Stormwater Management facilities will be integrated into the overall design of the development and design is subject to the approval of the City's Environmental Planner and the Cornerstone Design Review Board.
 5. Water quality will be addressed thru a combination of Best Management Practices (BMP's) and low impact development standards. Design of water quality measures is subject to approval of the City's Environmental Planner and the Cornerstone Design Review Board.
 6. All amenities in the area designated as park on the submitted master plan shall be the responsibility of the developer. All park areas shall be connected to the overall development by a series of trails and or sidewalks. All improvements are subject to approval by the Director of Parks and Recreation.
 7. Bicycle and pedestrian connections to Hunterdale Drive and the unnamed stub street located at the northeastern portion of the property shall be made. Right of Way will be reserved for future vehicle access when determined appropriate by the City.
- June 13, 2006: City Council public hearing. City Council develops consensus to conduct a work session on the petition at its June 27, 2006 meeting.

FISCAL IMPACT: N/A

CONTACT(S):

Tom Martin - 455-3909

ATTACHMENT(S):

- Resolution as originally presented
- Resolution with June 20 conditions

REVIEWED BY: lkp

AS ORIGINALLY PRESENTED

RESOLUTION

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO JBO, LLC FOR USE OF THE PROPERTY AT 1207 AND 1226 GREENVIEW DRIVE TO CONSTRUCT A TRADITIONAL NEIGHBORHOOD DEVELOPMENT, SUBJECT TO CERTAIN CONDITIONS.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LYNCHBURG that the petition of JBO, LLC, for a Conditional Use Permit for use of the property at 1207 and 1226 Greenview Drive to construct a Traditional Neighborhood Development named Cornerstone on approximately one hundred thirteen (113) acres be, and the same is hereby, approved, subject to the following conditions:

1. The property shall be developed in substantial compliance with the submitted master plan entitled "Cornerstone" Traditional Neighborhood Development dated April 24, 2006 and prepared by Sympoetica, Community Planners & Designers and Hurt & Proffitt, Inc., Engineers.
2. The property shall be developed in compliance with the Design, Landscaping & Screening and Architectural Guidelines for the Cornerstone TND dated April 12, 2006 and prepared by Sympoetica, Community Planners & Designers.
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7. Bicycle and pedestrian connections to Hunterdale Drive and the unnamed stub street located at the northeastern portion of the property shall be made. Right of Way will be reserved for future vehicle access when determined appropriate by the City.

Adopted:

Certified:

Clerk of Council

WITH JUNE 20 CONDITIONS

RESOLUTION

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Certified:

Clerk of Council

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